



May 11, 2007

Dr. Scott A. Masten  
Director  
Office of Chemical Nomination and Selection  
NIEHS/NTP  
111 T.W. Alexander Drive  
P.O. Box 12233  
Research Triangle Park, NC 27709

**Re: Notice; request for comments and additional information**

Dear Dr. Masten:

The Industrial Minerals Association – North America (IMA-NA) is the principal trade association representing the industrial minerals industry in North America. The Industrial Minerals Association – Europe (IMA-EU) is the principal trade association representing the industrial minerals industry in Europe. We wish to take this opportunity to comment upon the nomination of “Asbestos, naturally occurring and atypical forms [1332-21-4]” for toxicological studies to be undertaken by the National Toxicology Program (NTP). Asbestos was nominated by the National Center for Environmental Health, the Agency for Toxic Substances and Disease Registry and the U.S. Environmental Protection Agency. The rationale for the nomination, published in the March 29, 2007 *Federal Register* (72 FR 14816, 14818), cites:

*Widespread community exposure in certain geographic locales; insufficient dose-response data to characterize risk from exposure to “unregulated” asbestiform mineral fibers and naturally occurring fibrous mineral “mixtures”.*

Preliminary study recommendations for this “substance” include:

- *Mineral characterization.*
- *In vitro durability and toxicity studies.*
- *Subchronic and chronic toxicity/carcinogenicity studies via inhalation.*
- *Studies should utilize test materials representative of minerals identified in Libby, MT and at other Naturally Occurring Asbestos (NOA) sites.*

Asbestos is a known human carcinogen and was first listed in the *First Annual Report on Carcinogens* (1980). IMA-NA's and IMA-EU's concern with the nomination of asbestos for additional toxicological testing is that nonasbestiform analogs not be "mixed" with asbestos minerals in studies. IMA-NA and IMA-EU do not object to properly characterizing and testing "unregulated" asbestiform mineral fibers, but do object to testing naturally occurring fibrous mineral "mixtures." To the extent that asbestos contaminates a sample of test material that also contains nonasbestiform analogs the latter component could, and likely would, be mischaracterized as having the same toxicological attributes as asbestos because of the presence of asbestos. We would find such control procedures unacceptable and trust that NTP would as well. The mineralogical habits of asbestos minerals and their nonasbestiform analogs are fundamentally different and NTP must recognize that fundamental distinction when considering this nomination.

IMA-NA and IMA-EU believe that proper mineral characterization and specificity of test material are essential criteria for NTP to consider in evaluating the nomination of asbestos for additional toxicological testing. We believe that NTP has both the duty and the obligation to ensure that mineral types that are identical chemically, but are different in their physical characteristics, are not addressed as "mixtures."

This matter is of concern not only to IMA-NA and IMA-EU and their members, but to other mining trade associations. In this regard, IMA-NA and IMA-EU are aware of the comments on this matter filed by the National Stone, Sand and Gravel Association (NSSGA). IMA-NA and IMA-EU have reviewed the comments prepared by NSSGA, endorse them, and commend them to your attention.

IMA-NA and IMA-EU appreciate the opportunity to offer these comments and are prepared to collaborate with NTP in applying sound mineralogical science to matters within NTP's purview.

Sincerely,

[Redacted]

[Redacted]

Dr. Michelle Wyart-Remy  
Secretary General, IMA-EU  
Bd. Sylvain Dupuis 233/124  
B-1070 Brussels (Belgium)  
Tel.: +32 2 524 55 00

Mark G. Ellis  
President, IMA-NA  
2011 Pennsylvania Avenue, NW  
Suite 301  
Washington, DC 20006  
(202) 457-0200